

EXHIBIT B

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEAN HILAIRE, JEAN FRESNEL, SUALIO
KAMAGATE, JEAN VERTUS, FOUSSEIMI
CAMARA, JEAN MOROSE, NOE PEREZ,
EDGAR ESPINOZA, BOLIVIO CHAVEZ,
BRAULIO MATAMORES FLORES, GEORGE
VENTURA CONCEPCION, ANGEL
SANDOVAL, CARLOS DE LEON CHIYAL,
and LESLY PIERRE on behalf of themselves and
all others similarly situated who were employed
by Underwest West Side Operating

Plaintiffs,

- against -

UNDERWEST WESTSIDE OPERATING
CORP., MOSHE WINER, MARTIN TAUB, AVI
GOLAN, and ELAD EFORATI,

Defendants,

X

Civil Action

Index No.: 19-CV-3169

X

**FORM TO CLAIM MONEY, PARTICIPATE IN CLASS ACTION
SETTLEMENT AND RELEASE**

In order to receive any portion of the money described in the Notice of Proposed Settlement ("Notice"), you must complete, sign, date, and return this Claim Form and Release, as well as IRS Forms W-4 and W-9, to the Claims Administrator postmarked by _____, 2021.

Claims Administrator

{Name}

{Address}

RE: Hilaire

CHANGE OF ADDRESS

It is **your responsibility** to keep a current address on file with the Claims Administrator. Please make sure to notify the Claims Administrator of any change of address.

Claims Administrator
{Name}
{Address}
RE: Hilaire

CLAIM FORM AND RELEASE

***THIS FORM MUST BE MAILED TO THE CLAIMS ADMINISTRATOR
POSTMARKED BY _____, 2021.***

CHALLENGE (OPTIONAL)

The claim formula assumes you worked an average of 54 hours per week. If you think you worked more than 54 hours per week on average, you may challenge that assumption. If you choose to challenge the assumption, the Claims Administrator will check 5 pay periods at random from Westside Highway Car Wash's records from the time you worked (if you worked 5 or fewer pay periods total then the Administrator will check all pay periods worked). The Claims Administrator will then use the average weekly hours worked from those 5 periods to calculate your points. If it is more than 54 then you will receive more per week worked. If it less than 54, then you will receive less per week worked.

☐ I want to challenge the assumption that I worked an average of 54 hours per week. I understand that my number of points for my claim will go up or down depending on my average hours worked listed in Westside Highway Car Wash's records during the 5 random periods selected by the Claims Administrator.

DISTRIBUTION OF SETTLEMENT CHECKS

Settlement checks will be distributed by the Claims Administrator by U.S. Mail except for clients who retained Arenson, Dittmar & Karban and/or filed consents to join as of April 30, 2021 who will obtain their checks from class counsel. You may designate an alternative preference by checking the box below.

☐ I prefer the settlement check mailed to me at the address noted below

☐ I prefer to pick up the settlement check at the law offices of Arenson, Dittmar & Karban, 200 Park Avenue, Suite 1700, New York, New York 10166

REPRESENTATIONS:

I understand that this case is being brought under the Fair Labor Standards Act ("FLSA") and the New York Labor Law. I hereby consent to join and submit a claim for a proportionate share of the settlement money in the case of *Jean Hilaire et al. v. Underwest Westside Operating Corp. et al.*, Case No. 1:19-cv-03169 ("Litigation"). I understand that, as a Class Member, I am bound by any decision in this action by the Court, including the settlement agreement if it is approved by the Court.

I understand and agree that by signing this form I agree to and am bound to the following release:

Each Claimant, on his or her behalf, and on behalf of his or her respective current, former and future heirs, spouses, assignees, executors, administrators, agents, and attorneys, fully releases and discharges Defendants, Defendants' present and former parent companies, subsidiaries, related or affiliated companies, and their respective shareholders, officers, directors, employees, members, managers, fiduciaries, trustees, employee benefit plan administrators, agents, attorneys, insurers, successors and assigns (including Moshe Winer, Tal Winer, Martin Taub, Barak Taub, Lior Ronner (Ronen), Avihai Golan and Elad Efrati), and all persons or entities acting by, through, under or in concert with any of them, and any individual, including but not limited to former and future heirs, spouses, assignees, executors, administrators, agents, and attorneys, or entity which could be jointly liable with any of them (collectively, the "Releasees"), for any and all claims for any wage-and-hour violations under federal, state, and/or local law, including but not limited to, any and all claims for unpaid wages, minimum wages, tips, tip credits/allowances, gratuities, service charges, commissions administrative or other mandatory charges, overtime pay, spread-of-hours pay, failure to maintain and furnish employees with proper wage records, wage notices, and/or wage statements, meal break claims, all derivative benefit claims (both ERISA and non-ERISA benefits), all other corresponding claims arising out of any state or local wage laws, all corresponding contractual, common law or equitable claims and any right to arbitrate said claims, that were or could have been alleged in the Litigation¹, whether known or unknown, under federal, state, and/or local wage-and-hour laws (including but not limited to the Fair Labor Standards Act, the New York Labor Law and related

¹ The Litigation means the above-captioned case filed in the United States District Court for the Southern District of New York, Docket No. 1:19-cv-03169.

regulations), through April 30, 2021 (“Released Claims”). This release includes all claims for all damages arising from any such Released Claims, including but not limited to claims for liquidated damages, interest, statutory penalties, and attorneys’ fees and costs.

I declare under penalty of perjury that the above information is correct.

Named (print)

Signature

Mailing Address

Street

City

Apt.

Zip Code

E-Mail _____@_____._____

_____, 2021
Date